IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

OP.No. 13542 of 2001(K)

PETITIONER:

MUNEER EDATHIKKANDIYIL, EDATHIKKANDIYIL HOUSE,
P.P. KOYAKKODI, CALICUT DISTRICT.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS:
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1. P.V.LAKSHMI, D/O.KUNHIRAMAN,
LAKSHMI NIVAS, CHOKLI P.O., TELLICHERRY.

2. THE ASSISTANT EDUCATIONAL OFFICER,
CHOKLI.

3. GOVT. OF KEALA REP. BY CHIEF SECRETARY,
SECRETARIAT, TRIVANDRUM.

ADDL.4 VALLUPARAMBIL THAMASIKKUM UMMER MASTER
S/O.AREEKULATH MOOSA MASTER, RESIDING AT
MEETHALA PEEDIKAYIL HOUSE, KURARA P.O.,
MOKER AMSOM, THALASSERY TALUK, KANNUR.

5. V.P.NABEESU, D/O.ARREKULATH MOOSA MASTER,
OTHAYOTH HOUSE, C.P.ROAD, CHOKLI P.O.,
THALASSERY TALUK, KANNUR.

6. V.P.ALLEMA, D/O.AREEKULATH MOOSA MASTER,
VALLUPARAMBIL HOUSE, CHOKLI P.O., KANNUR.

7. V.P.PATHOOTTY, D/O.AREEKULATH MOOSA MASTER,
KURUNTHORATH HOUSE, PALOOR, CHOKLI.

(ADD. R4 TO R7 IMPLEADED AS PER ORDER DTD.19.2.02
ON CMP NO.8829/02)

R2, R3 BY GOVT PLEADER SMT.SMITHA SUKUMAR
SRI.P.K.VIJAYAN
SRI.K.V.JAYALAKSHMY

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NO.21592 OF 2001 IN OP NO.13542 OF 2001 K

//DISMISSED//

15.06.2007. SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.

APPENDIX

PETIITONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DT.8.7.98.

EXT.P2: TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT NO.B-3887/2000 DATED 18.8.00.

EXT.P3: TRUE COPY OF THE ORDER OF THE ASST. EDUCATIONAL OFFICER, CHOKLI NO.B.6202/98/L.DIS. DT.18.8.2000.

EXT.P4: TRUE COPY OF THE ORDER OF THE ASST. EDUCATIONAL OFFICER NO.B-3888/2000/LDIS. DATED 18.8.2000.

EXT.P5: TRUE COPY OF THE ORDER OF LTEH ASST. EDUCATIONAL OFFICER NO.B.2723/2000/LDIS. DATED 18.8.2000.

EXT.P6: TRUE COPY OF THE ORDER OF THE ASST. EDUCATIONAL OFFICER NO.B.5975/99/LDIS. DT.30.6.2000.

EXT.P7: TRUE COPY OF THE ORDER OF the DIRECTOR OF PUBLIC INSTRUCTIONS ORDER NO.G4/70223/95/KDIS. DPE DT.7.12.95.

/TRUE COPY/

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.13542 OF 2001

Dated this the 15th day of June, 2007

JUDGMENT

Learned Government Pleader submits that approval has been given by the competent authority for the appointment of the petitioner for the period from 6.7.1998 to 29.9.1998 by order dated 14.8.2001. Therefore, nothing survives in this writ petition. That apart, Ext.P7 shows that the Manager of the school at that point of time was Smt.P.V.Lekshmi, as approved by the department. Therefore, even if there is any litigation before civil courts as regards the title or management of the school, subject to any contradictory orders by those courts, the Manager approved by the department will be in charge of the day to day affairs, including the making of appointments similar to Ext.P1.

In the result, the writ petition is closed recording the submission of the learned Government Pleader.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.13542 OF 2001

JUDGMENT

15TH JUNE, 2007.

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